

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

NICODEMO DiPIETRO,	:
Plaintiff,	:
v.	: Case No. 3:17-cv-76-KRG-KAP
JOHN WETZEL, SECRETARY,	:
PENNSYLVANIA DEPARTMENT OF	:
CORRECTIONS <i>et al.</i> ,	:
Defendants	:

Memorandum Order

This matter was referred to Magistrate Judge Keith A. Pesto for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636, and Local Civil Rule 72.

The Magistrate Judge filed a Report and Recommendation on August 21, 2019, ECF no. 49, recommending that the motion for summary judgment filed by Houtzdale Medical Center, ECF no. 41, be granted, that defendants "Four Unidentified Officers" be dismissed, and that judgment be entered in favor of defendants and against plaintiff.

The parties were notified that pursuant to 28 U.S.C. § 636(b)(1) they had fourteen days to file written objections to the Report and Recommendation. Plaintiff filed objections at ECF no. 51, that I have reviewed *de novo*.

After *de novo* review of the record in this matter, the Report and Recommendation, the objections thereto, and the Motion at ECF no. 50 that has been denied by the Magistrate Judge, the following order is entered:

AND NOW, this 27th day of September, 2019, it is

ORDERED that the motion for summary judgment, ECF no. 41, is granted. It is further ordered that the complaint is dismissed as to the defendants described as "Four Unidentified Officers." The Report and Recommendation is adopted as the opinion of the Court. The Clerk shall mark this matter closed.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Kim R. Gibson", written over a horizontal line.

KIM R. GIBSON,
UNITED STATES DISTRICT JUDGE

Notice to counsel of record by ECF and by U.S. Mail to:

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